

G-008/C-91-942 ORDER AFTER RECONSIDERATION CLARIFYING EARLIER
ORDER

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm	Chair
Tom Burton	Commissioner
Cynthia A. Kitlinski	Commissioner
Dee Knaak	Commissioner
Norma McKanna	Commissioner

In the Matter of the Complaint
of the Minnesota Alliance for
Fair Competition Against
Minnegasco, a Division of Arkla,
Inc.

ISSUE DATE: February 8, 1993

DOCKET NO. G-008/C-91-942

ORDER AFTER RECONSIDERATION
CLARIFYING EARLIER ORDER

PROCEDURAL HISTORY

On November 10, 1992 the Commission issued its ORDER ESTABLISHING ACCOUNTING PROCEDURES AND REQUIRING FURTHER FILINGS in the above-entitled case. On November 30, 1992 the Minnesota Alliance for Fair Competition (MAC) filed a motion for amendment of that Order. MAC requested three changes: 1. clarification that the Commission's finding of no evidence of a pattern of preferential treatment of appliance sales and repair customers related solely to gas installation scheduling; 2. deletion of a statement that some of MAC's claims reflected misunderstandings of appropriate accounting practices; 3. clarification that Order references to two reports from independent accounting firms did not constitute acceptance of the substance of those reports.

On December 10, 1992 Minnegasco filed a response to MAC's motion, opposing any amendment or clarification of the November 10 Order.

On December 15, 1992 the Commission issued an Order granting reconsideration for purposes of tolling the 20-day statutory deadline for acting on reconsideration petitions. Minn. Stat. § 216B.27, subd. 4 (1992).

The motion came before the Commission on January 28, 1993.

FINDINGS AND CONCLUSIONS

The Commission agrees with MAC that the Order's finding of no evidence of a pattern of preferential treatment of appliance sales and repair customers relates solely to the Company's gas

installation scheduling practices. The Order did identify specific misallocations of costs between regulated and unregulated operations and found that the Company's cost allocation procedures generally required improvement. Cost misallocations, and the subsidies they create, can be viewed meaningfully as preferences. The Commission will therefore clarify the November 10 Order on the preference issue.

The Commission finds that the other two sentences challenged by MAC are clear, accurate, and require no further action.

ORDER

1. The Commission clarifies that the finding of no evidence of a pattern of preferential treatment of appliance sales and repair customers, made in its November 10, 1992 Order in this matter, relates solely to Minnegasco's gas installation scheduling practices.
2. The Minnesota Alliance for Fair Competition's motion for amendment is denied in all other respects.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)